?IN THE HIGH COURT OF JUDICATURE AT MADRAS
%DATED: 03/04/2009
*CORAM
THE HONOURABLE MR. JUSTICE M.JAICHANDREN
+WP.389 of 2004
#R.T.Ramesh
$Housing Urban Development Dept
!For Petitioner: Mr.N.Chandra Raj
^For Respondent: Mr.V.Viswanathan
:ORDER
IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.04.2009

CORAM

THE HONOURABLE MR. JUSTICE M.JAICHANDREN

Writ Petition No.389 of 2004

1. R.T.Ramesh
2. R.T.Suresh
3. R. Rathi .. Petitioners

Versus

1. The Secretary
Housing and Urban Development Department,
Fort St. George, Chennai - 600 009.

2. The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 006.
.. Respondents

Writ petition has been filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus as stated therein.

For Petitioner : Mr.N.Chandra Raj

For Respondent-1 : Mr.V.Viswanathan
Additional Government Pleader

For Respondent-2 : Mr.A. Vijayakumar

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus directing the respondents to pass appropriate orders on the representation of the petitioners, dated 06.11.2004, for reconveyance of their lands in Alagapuram Pudur Village, Salem Taluk, Salem District, comprised in Survey Nos. 1/3, 1/4 and Old Survey No.199/3 and the agricultural lands in Alagapuram Village in S.No.2/11.

2. The learned counsel for the petitioners had submitted that the petitioners are the joint owners of the lands in S.Nos. 1/3 and 1/4 and Old Survey No.199/3 and the agricultural lands in Alagapuram Village in S.No.2/11. It is stated by the learned counsel for the petitioners that the said lands had been acquired for the purpose of Salem Housing Scheme. However, the said lands had not been utilised for the purpose for which it has been acquired, due to the existence of a burial ground within the prohibited distance.

3. In such circumstances, the petitioners have submitted a representation, dated 06.11.2004, to the respondent to reconvey the said lands to them. The learned counsel for the petitioners had further submitted that it would suffice if the first respondent is directed to dispose of the representation of the petitioners, dated 06.11.2004, on merits and in accordance with law, within the specified period.

3. The learned counsels for the respondents have no objection for this Court passing such an order.

4. In view of the submissions made by the learned counsels for the petitioners, as well as for the respondents, the first respondent is directed to dispose of the representation of the petitioners, dated 06.11.2004, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The petitioners are to enclose a copy of the representation, dated 06.11.2004, along with the copy of this order.

5. The Writ Petition is disposed of with the above directions. However, there will be no order as to costs.

03.04.2009
Index : Yes
Internet : Yes
mra
M.JAICHANDREN,J.

mra
To
1. The Secretary
Housing and Urban Development Department,
Fort St. George, Chennai - 600 009.

2. The Chairman,
Tamil Nadu Housing Board,
Nandanam, Chennai - 600 006.

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